EXHIBIT - 1
DATE 2-9-2009
HB HB 356

MCS FORM 86

MCS OFFICER'S VEHICLE INSPECTION NOTICE

#
LOCATION DATE 6/13/07 START TIME 1545 END TIME
NAME OF CARRIER Rasbert Wagner HIGHWAY # MILEPOST
ADDRESS PO Box 191
CITY Harrison
NAME OF DRIVER Dustin Washer STATE MT ZIP 59735 ICC/PSC#
DRIVERS LICENSE # 09022198241101 MT DOB 9/1/82

VEHICLE IDENTIFICATION

YEAR	MAKE	LICENSE # & STATE	UNIT NUMBER		PORTABLE SCALE TYPE (N)
85	Peterb	25-332	MT		WIDTH#
					LENGTH#
					HEIGHT
				BRIDGE	FEET

STEERING AXLE (L) 6800 (R) 6200

DRIVE AXLE(S) 1ST AXLE (L) 7700 (R)
2ND AXLE (L) [illegible] (R) 8700
3RD AXLE (L) 6212 (R) 8500 / 822
STEERING AXLE TOTAL 13000
DRIVE AXLE TOTAL 38,900

FRONT TRAILER AXLE(S) 1ST AXLE (L) 7700 (R) 7600
2ND AXLE (L) 7200 (R)
3RD AXLE (L) 4445 (R) 5660
4TH AXLE (L) (R) 1732
FRONT TRAILER AXLE TOTAL 27700
(Trac. or Trk & Trlr) TOTAL GROSS

REAR TRAILER AXLE(S) 1ST AXLE (L) (R)
2ND AXLE (L) (R)
3RD AXLE (L) (R)
4TH AXLE (L) (R)
Total 79100
FRONT TRAILER AXLE TOTAL 78880
(3-Unit Combination) TOTAL GROSS 220 lbs Diff

VIOLATIONS MCS FORM#
MCA# 61 10 154 CODE # V4403 N.T.A. # 60155
COMMENT No CDL
MCA# 61 10 107 CODE # 33001 N.T.A. # 60158
COMMENT Drive axles
MCA#
COMMENT CODE # N.T.A. #

PERMITS ISSUED: MCS FORM
TRIP #
TERM #
3 #
2 #

INSPECTION CHECK LIST
FUEL PERMIT — SINGLE STATE REGISTRATION
REGISTRATION — SHIPPING PAPERS
GVW FEES — LIVESTOCK INSPECTION FORM
TEMP. PERMITS — MOBILE HOME TAX RECEIPT
WT MILEAGE — SIZE WT PERMIT
CVSA — MOBILE HOME MOVEMENT DEC.
DYED FUEL – PROPULSION OR CARGO COMPARTMENTS

OTHER VIOLATIONS OR COMMENTS: CWT Improper use of farm
plates

Burke

OFFICER REPORT PREPARED BY: BADGE # DRIVER/OWNER COPY RECEIVED

WHITE - MCS OFFICE YELLOW - DRIVER PINK - OFFICER
MONTANA DEPARTMENT OF TRANSPORTATION, MCS DIVISION, PO BOX 4639, HELENA, MT 59604-4639 REVISED AUG. 2001

MCS Hall
Harrison
State Certified weights & measures
Rounded Down? I Doubt it!
[redacted]

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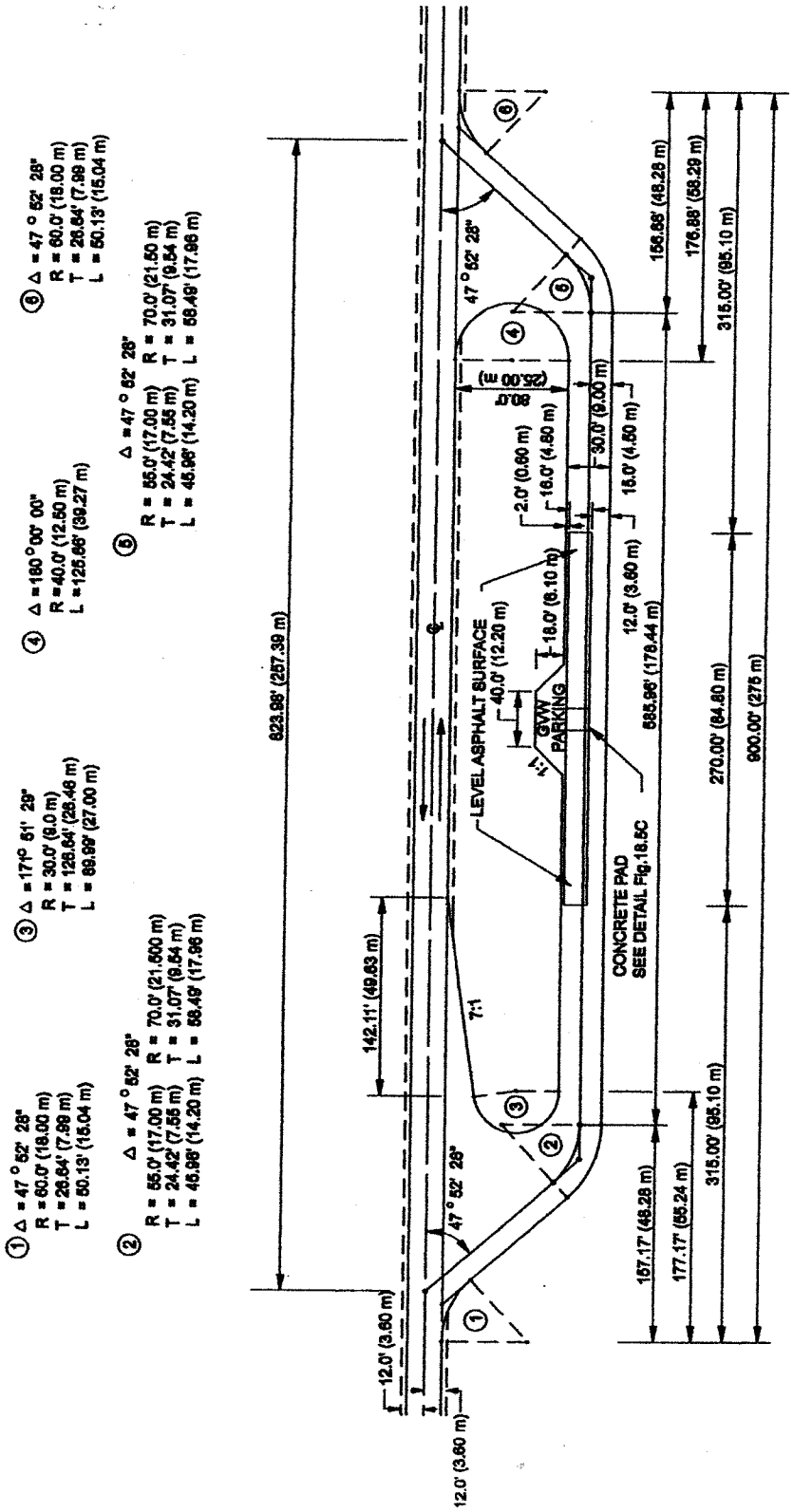
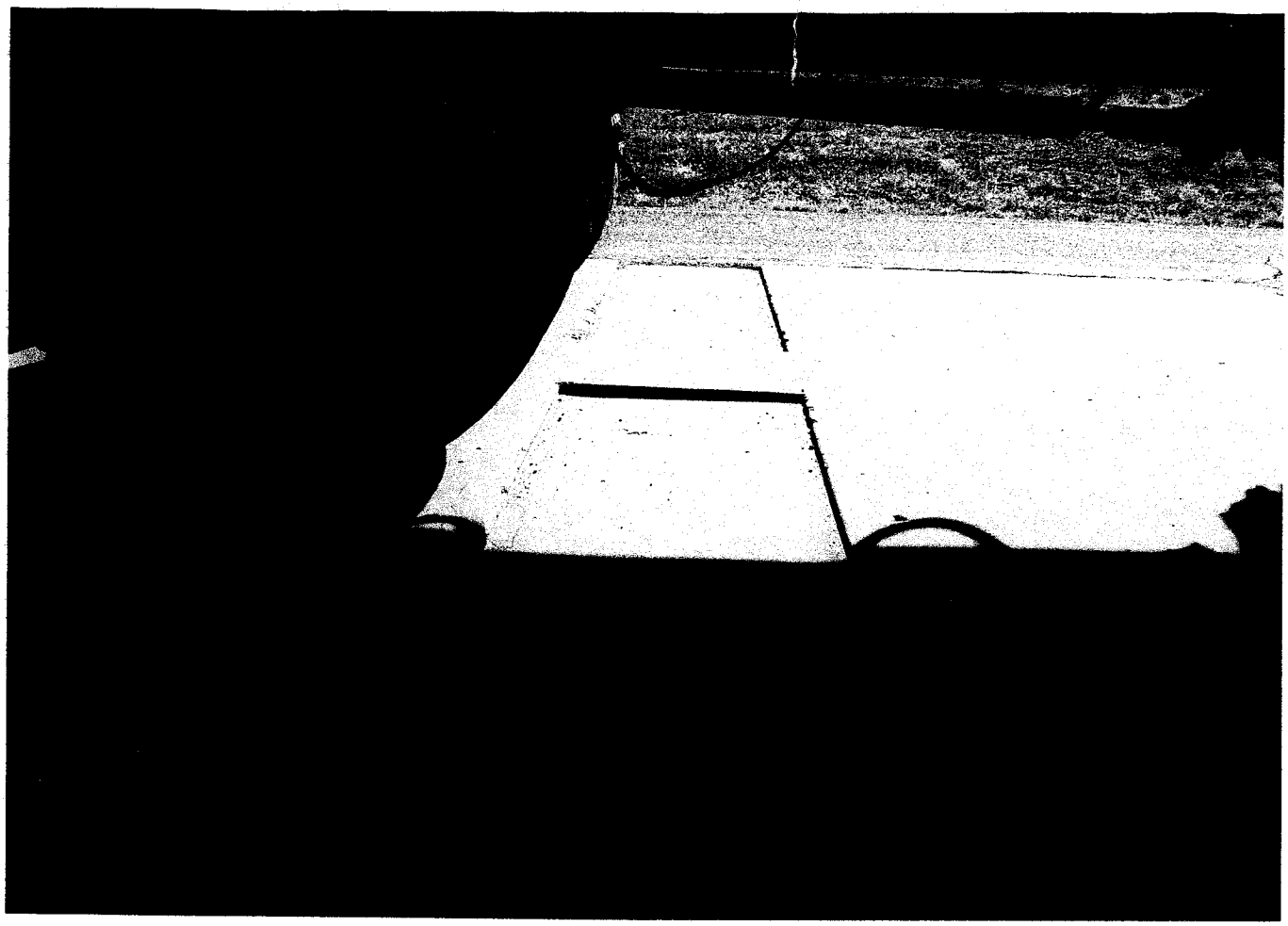


TYPICAL PORTABLE SCALE SITE
(Type "A")

Figure 18.5A



Montana Code Annotated - 2007

30-12-102. Systems of weights and measures. The system of weights and measures in customary use in the United States and the metric system of weights and measures are jointly recognized, and either one of both of these systems may be used for all commercial purposes in the state of Montana. The definitions of basic units of weight and measure, the tables of weight and measure, and weights and measures equivalents as published by the national institute of standards and technology are recognized and shall govern weighing and measuring equipment and transactions in the state.

History: En. Sec. 2, Ch. 99, L. 1969; R.C.M. 1947, 90-154; amd. Sec. 2, Ch. 442, L. 1989.

4.4. Portable wheel load scales in comparison with a fixed installation / Advantages

Use of portable wheel load scales	Fixed installations
No civil works	Considerable civil works
Low investment cost	High investment cost.
Long operation time, because the scales are moving with the personnel	Only part time operation.
Fast exchange in case of failure. Specialised central service point. Lower repair and service cost.	Repair and service is possible only on site. Long down time. High repair and service cost.
Easy dislocation	Can hardly be dislocated
Storage at a save place	Exposed to vandalism
The weighing can be continued even in case of a failure of one component.	A failure of one component stops the weighing.

5. How to Use Portable Wheel Load Scales

The use of portable wheel load scales is very simple. Even with just two scales it is possible to determine accurately the weight of any kind of vehicle. The procedure is to weigh axle by axle. The scale shows the weight of the wheel placed on the platform. The sum of two wheels is the axle weight and the sum of the axle weights is the gross weight.

To obtain accurate results it is essential to follow certain rules and procedures. In the following sections the most important sources of errors and their remedies are listed.

Gradient of the measuring site:

Tilting of the vehicle results in a change of the location of the centre of gravity. The result is a changed repartition of the load on the individual wheels. This effect has to be taken into consideration when selecting a measuring site.

On a measuring site which is level in all directions, all wheel and axle loads and the gross weight are indicated without affect. If the site shows a gradient crosswise to the driving direction, then still the axle weights and the gross weight are unaffected. If the gradient is lengthways, then only the gross weight is unaffected.

Also the height of the scale influences the position of the centre of gravity. In the case of low profile scales the influence is negligible. But if two compact scales are used the effect is considerable. The only remedy is to bring all other wheels on the same level by using more scales or levellers (dummies). The problem will then be, that it is almost impossible to climb onto the scales simultaneously with all wheels.

Errors due to the characteristics of the suspension:

When measuring multi axle systems all wheels of this system must be exactly on the same level. Otherwise the height of the scale would force the measured wheel to be lifted, what may result in a higher force of the spring suspension. This influence rises with the height of the scale. The factor may be up to 50 kg per mm, what is considerable even for a very low profile scale!

10% Rule will Apply if This is Done!

3.1.2 The base of the scale must be evenly supported by the road surface. Hard surfaces with protruding stones and roads with ruts are unsuitable. The space between the base of the scale and the road surface may not exceed 0.4 in at any location.

3.2 **Zero Adjustment**

The zero adjustment must be checked before every weighing. Whenever the pointer is not exactly on zero position an equivalent correction has to be made with the knurled screw at the border of the indicator.

3.3 **Process of weighing**

3.3.1 **General directions**

⚠ Warning: When weighing a driving axle the scale may be catapulted by the wheel due to too rapid operation of the clutch!

The scale should be placed directly in front of the wheel to be weighed in accordance with the site selection instructions in section 3.1. Slowly move the vehicle with the wheels straight forward, so that the tire rests completely within the marked active weighing area of the scale possibly used leveling mat or additional scales must be treated analogous. After stopping the vehicle the proper position of the wheels must be checked.

3.3.2 **Measurement of the wheel load**

The wheel to be weighed must be driven correctly onto the scale. The overall height of the scale of 0.67 in may cause a falsification of the result depending on the type of vehicle and the character of the load (see paragraph 4.1.6 and Appendix). This error can be avoided by using leveling mats (or any type of backings of similar thickness) or additional scales for the other wheels.

Montana Code Annotated - 2007

61-10-144. Violation of standards -- tolerance. (1) It is a misdemeanor for a person, firm, or corporation to violate any provision of 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110.

(2) The operator of a vehicle or combination of vehicles may move over the highways to the first open state scale, permanent or portable, without incurring the excess weight penalties set forth in 61-10-145 if the total gross weight of the vehicle or combination of vehicles does not exceed allowable total gross weight limitations by more than 10% and if the weight carried by any axle or combination of axles does not exceed the allowable axle weight limitations by more than 10%. If the vehicle or combination of vehicles is not in excess of the allowable total gross or axle weight limitations by more than 10%, the department may issue a single trip permit for the fee of $10, allowing the vehicle or combination of vehicles to move over the highways to the first facility where its load can be safely adjusted or to its destination. Violations of total gross or axle weight limitations in excess of 10% are subject to the fines provided in 61-10-145, and all loads in excess of 10% of the total gross or axle weight limitations:

(a) may be required to be adjusted or reduced to conform to the size and weight limitations before the vehicle or combination of vehicles is moved from the point of weighing; or

(b) may be issued a permit as authorized by 61-10-141.

(3) Farm vehicles transporting agricultural products from a harvesting combine or other harvesting machinery may be operated on any highway, except a highway that is part of the federal-aid interstate system, within a 100-mile radius of the harvested field to the point of first unloading without incurring excess weight penalties under 61-10-145 if the total gross weight of the farm vehicle or combination of vehicles does not exceed allowable weight limitations by more than 20% for each axle and the maximum load for each inch of tire width does not exceed 670 pounds. A single trip permit, as required in subsection (2), is not applicable to the farm vehicle or combination of vehicles. When a farm vehicle or combination of vehicles violates any of the provisions of this subsection, the fine or penalty imposed applies to that portion of the load above the legal limit.

History: En. Sec. 3(a), Ch. 123, L. 1947; amd. Sec. 2, Ch. 243, L. 1961; amd. Sec. 24, Ch. 316, L. 1974; amd. Sec. 1, Ch. 239, L. 1977; R.C.M. 1947, 32-1124; amd. Sec. 2, Ch. 392, L. 1981; amd. Sec. 4, Ch. 487, L. 1983; amd. Sec. 2, Ch. 70, L. 1993; amd. Sec. 1, Ch. 62, L. 1995; amd. Sec. 11, Ch. 236, L. 1995; amd. Sec. 7, Ch. 232, L. 1997; amd. Sec. 1, Ch. 216, L. 1999; amd. Sec. 1, Ch. 254, L. 2001; amd. Sec. 2, Ch. 369, L. 2001.